

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

LINDA GRIFFITH and JEANETTE WENZL,
on behalf of themselves, individually, and on
behalf of the Providence Health & Services
Cash Balance Retirement Plan,

Plaintiffs,

v.

PROVIDENCE HEALTH & SERVICES;
RETIREMENT PLANS COMMITTEE;
ELLEN WOLF; JOHN and JANE DOES 1-20,
inclusive, MEMBERS OF THE RETIREMENT
PLANS COMMITTEE; JOHN or JANE DOE
21, PLAN DIRECTOR; HUMAN
RESOURCES COMMITTEE OF THE BOARD
OF DIRECTORS; JOHN and JANE DOES 22-
40, inclusive, MEMBERS OF THE HUMAN
RESOURCES COMMITTEE OF THE BOARD
OF DIRECTORS; ROD HOCHMAN; BOARD
OF DIRECTORS OF PROVIDENCE HEALTH
& SERVICES; MICHAEL HOLCOMB;
CHAUNCEY BOYLE; ISIAAH CRAWFORD;
MARTHA DIAZ ASKENAZY; PHYLLIS
HUGHES; SALLYE LINER; KIRBY
McDONALD; DAVE OLSEN; AL
PHARRISH; CAROLINA REYES; PETER J.
SNOW; MICHAEL A. STEIN; CHARLES
WATTS; BOB WILSON; JOHN and JANE
DOES 41-50, inclusive,

Defendants.

No. 2:14-cv-01720-JCC

AFFIDAVIT OF ABIGAIL SCHWARTZ
FOR RUST CONSULTING, INC.

STATE OF MINNESOTA)
) ss.
HENNEPIN COUNTY)

I, Abigail Schwartz, declare as follows:

1. I am a Program Manager for Rust Consulting, Inc. ("Rust"). My business address is 625 Marquette Avenue, Suite 900, Minneapolis, Minnesota 55402-2469. My telephone number is (612) 359-2078. I am over twenty-one years of age and am authorized to make this affidavit on behalf of Rust and myself.

2. I submit this Affidavit in connection with the class action settlement administration related to *Linda Griffith, et al. v. Providence Health & Services, et al.*, Case No. 2:14-cv-01720-JCC, pending in the United States District Court for the Western District of Washington (the "Action"), at the request of Counsel for the Plaintiffs and Counsel for the Defendants (collectively the "Parties").

3. This Affidavit is based on my personal knowledge and upon information provided by my associates and staff.

4. Rust has extensive experience in class action matters, having provided services in class action settlements involving ERISA, antitrust, securities fraud, property damage, employment discrimination, employment wage and hour, product liability, insurance and consumer issues. We have provided notification and/or claims administration services in more than 4,500 cases. Of these, more than 1,700 were Labor & Employment cases.

5. Rust was engaged by the Parties to provide administration services in the *Linda Griffith, et al. v. Providence Health & Services, et al.*, Settlement (the "Settlement"). Rust was responsible for the implementation of the notice administration in this Action, which included: a) preparing, printing and mailing of the Notice of Proposed Settlement of ERISA Class Action Litigation, Settlement Fairness Hearing, and Motion for Attorneys' Fees and Reimbursement of Expenses (the "Class Notice"); b) establishing a toll-free telephone number with interactive voice

1 response to answer frequently asked questions; c) issuing payments to qualified class members;
2 and d) completing such other tasks as the Parties mutually agreed upon.

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4 **NOTIFICATION:**

5 6. Rust obtained a mailing address of Griffith v. Providence Health ERISA
6 Settlement, c/o Rust Consulting, Inc. - 5481, P.O. Box 2572, Faribault, Minnesota 55021-9572 to
7 receive undeliverable Class Notices and other communications regarding the Settlement.

8 7. On or about December 12, 2016, Rust received the Court-approved Class Notice
9 from Counsel. Rust formatted the Class Notice for printing and mailing. Counsel for the Parties
10 approved the formatted Class Notice prior to mailing.

11 8. On or about December 30, 2016, Counsel for the Defendants provided Rust with a
12 mailing list containing the Class Members' names, last known addresses, Social Security
13 Numbers, and Dates of Birth (the "Class List"). The Class List contained data for 75,505 Class
14 Members.

15 9. The mailing addresses contained in the Class List were processed and updated
16 utilizing the National Change of Address Database (the "NCOA") maintained by the U.S. Postal
17 Service. The NCOA contains requested changes of address filed with the U.S. Postal Service. In
18 the event that an individual had filed a U.S. Postal Service change of address request, the address
19 listed with the NCOA was utilized in connection with the mailing of the Class Notice.

20 10. In accordance with the Order Granting Motion for Preliminary Approval of
21 Settlement, (the "Preliminary Order"), on January 19, 2017, Rust mailed Class Notices to 75,505
22 Class Members contained in the Class List via First Class mail. The Class Notice advised Class
23 Members that they could submit an objection by February 21, 2017. The Class Notice was mailed
24 to 71,706 members of Group I. The Class Notice, along with the additional enclosure notifying
25 the individuals that they were in Group II, was mailed to 3,799 members of Group II.

26 11. As of March 9, 2017, 8,929 Class Notices have been returned to Rust as
27 undeliverable. Of the 8,929 Class Notices returned to Rust as undeliverable, Rust performed
28 address traces on 8,929 Class Notices returned to Rust as undeliverable for the first time. The

1 address trace utilizes the Class Member's name and previous address for locating a current
2 address. Of the 8,929 traces performed, 7,666 more current addresses were obtained and Class
3 Notices were promptly re-mailed to those Class Members via First Class mail. Of the 8,929 traces
4 performed, Rust did not obtain updated address for 929 undeliverable Class Notices.

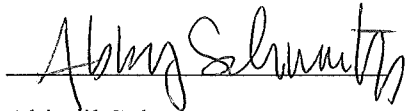
5 12. As of March 9, 2017, 90 Class Notices have been returned by the Post Office with
6 forwarding addresses attached. Rust promptly re-mailed Class Notices to those Class Members
7 via First Class mail.

8 13. As of March 9, 2017, Rust has received zero (0) objections.
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10 **TELEPHONE SUPPORT:**

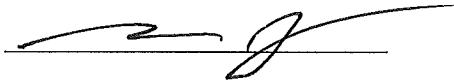
11 14. Rust obtained a case-specific toll-free telephone number of (866) 317-3194 for
12 Class Members to call the Settlement Administrator with questions regarding the Settlement.
13 Callers to the toll-free telephone number are prompted to listen to a recorded introductory message
14 before selecting an option from an automated menu system (the Interactive Voice Recording,
15 "IVR") designed to answer frequently asked questions about the Settlement. Callers can connect
16 to a customer service representative by selecting the option available from the menu. As of March
17 9, 2017, Rust had received approximately 451 calls to the toll-free telephone number.
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1 I declare, under penalty of perjury, under the laws of the State of Minnesota, that the foregoing is
2 true and correct to the best of my knowledge. Executed this 10th day of March, 2017 in
3 Minneapolis, Minnesota.

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6 Abigail Schwartz

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8 Subscribed and sworn to me this 10th day of March, 2017.

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11 Notary Public

